

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,) CASE NO. 1:10CR439
)
)
)
PLAINTIFF,) JUDGE SARA LIOI
)
)
vs.)
) OPINION AND ORDER
)
)
)
LOUIS AMIR, et al.,)
)
)
)
DEFENDANTS.)

Before the Court is the April 1, 2011 report and recommendation of the Magistrate Judge in the above-entitled action. In her report, the Magistrate Judge recommended a finding that the defendant, Louis Amir, was competent to stand trial. (*See* Doc. No. 57 at 3.) Under the relevant statute:

[. . .] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). It appears from the docket that the defendant received notice of the Magistrate Judge's report on April 18, 2011. Thus, the fourteen-day period has elapsed and no objections have been filed nor has any extension of time been sought. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in

the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see* *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and accepts the same. Accordingly, for the reasons set forth in the report and recommendation, the Court finds that the defendant, Louis Amir, is competent to stand trial.

IT IS SO ORDERED.

Dated: May 11, 2011



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE